

Plaintiff filed objections to the Report. ECF No. [12]. The objections do not merit rejection of the Report. The objections simply re-argue the merits of Plaintiff's putative delay-of-trial claim and are not at all responsive to the grounds raised in the Report for dismissing the complaint.

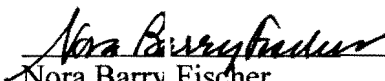
Hence, the following order is entered.

AND NOW, this 13th day of September 2011;

IT IS HEREBY ORDERED that the complaint is dismissed pre-service pursuant to the PLRA for failure to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that the Report and Recommendation, ECF No. [9], filed on August 16, 2011 by Magistrate Judge Kelly, is adopted as the opinion of the court.

September 13 2011


Nora Barry Fischer
United States District Judge

cc:

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